

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 KELLY BIRMELE,)
)
 Defendant.)

2:11-CR-015-LDG (PAL)

FINAL ORDER OF FORFEITURE

On June 21, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture, and on September 29, 2011, the United States District Court for the District of Nevada entered an Amended Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 21, United States Code, Sections 853(a)(1) and 853(a)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 881(11) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant KELLY BIRMELE to criminal offenses, forfeiting specific property alleged in the Indictment and agreed to in the Plea Memorandum and shown by the United States to have a requisite nexus to the offense to which defendant KELLY BIRMELE pled guilty. Docket #42, #110, #111, #115, #146.

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1 This Court finds the United States of America published the notice of the forfeiture in
2 accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,
3 consecutively from June 25, 2011, through to July 24, 2011, notifying all known third parties of their
4 right to petition the Court. #132.

5 This Court finds no petition was filed herein by or on behalf of any person or entity and the
6 time for filing such petitions and claims has expired.

7 This Court finds no petitions are pending with regard to the assets named herein and the time
8 for presenting such petitions has expired.

9 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
10 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
11 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Title 21, United States
12 Code, Sections 853(a)(1) and 853(a)(2); Title 18, United States Code, Section 924(d)(1) and Title
13 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 881(11) and Title
14 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and
15 shall be disposed of according to law:

- 16 a. \$2,015.00 in U.S. Currency;
17 b. \$1,807.00 in U.S. Currency;
18 c. \$48,920.00 in U.S. Currency;
19 d. a Ruger .38 cal. Revolver, bearing serial number 540-48039;
e. a Taurus PT709, 9mm semi-automatic handgun, bearing serial number TD082373;
and
f. any and all ammunition ("property").

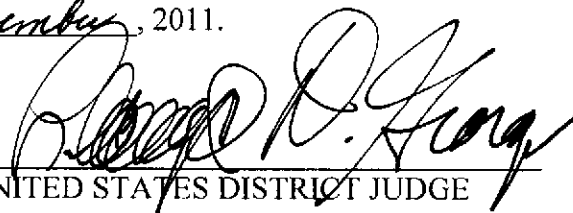
20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
21 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
22 as any income derived as a result of the United States of America's management of any property
23 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
24 according to law.

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1 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
2 certified copies to the United States Attorney's Office.

3 DATED this 29 day of November, 2011.

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6 UNITED STATES DISTRICT JUDGE
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